f/ns 298/08
sl ns: 1-10

: 1908
(Agriculture)

Sub:- prayer of mr. Gangadar for a loan for improving the pambarahalli Tank in the Mulbagal Taluk

G. R. S. 58]

Previous references.

Mis 1469-0506
8617-2
B Mp(1906.

1908.

(Agriculture)

File No. 208-0

Serial Nos. 1 — 1

Later references.

LR 585-14(1-5)
LR2-16 (125, 126)
— 423-26-4, 5, 7 & 8.
LR 121-27 (30-40)
LR III 28-3, 6.
LR 99-32(1-3 39-4-13)
G. R. S. 512. 42. 1-6.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 10

Part B for October 1911.

SUBJECT.

prayer of Mr B. Gangiah for a loan for improving the Pambenahalli tank in the Mulba Talk.

---

petition dt 26-3-09 from Mr B. Gangiah praying that a takavi loan may be granted to him for increasing the capacity of the Pambenahalli tank in the Mulbagal Talqk.

2. NoR 8570 dt 16-4-09 - to the Rev. Comr.
- calling for a report as to whether the loan may be grant

Sl. 3. No 1939 dt 9-8-11 from the Rev. Comr.
states that the Dy Comr has not yet subs his reports and that the cases can be disposed of after a reference to Mr Gan
the Pol. & Exec.

GIB—5,000—22-10-10

.R.S. 11] 1908.9.

GENERAL AND REVENUE SECRETARIAT.

(Agri.)

NOTES.

Agri File No. 208-08

FILE HEADING.

Loan to Mr B. Gangiah for improving Pombarabatti Tank in the Mulbagal Taluk

From

Mr Gangiah

No. Petition Dated 26. 3. 09. Received 1. 4. 09

Diary No. 627	Enclos. –	Spare Copies	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Prays that a Takavi loan of Rs 2050 may be granted to him for increasing the capacity of the Pombarabatti tank in the Mulbagal Taluk

NOTES AND ORDERS.

"Dewans" note – "This may be done if the rules permit"

Secretary – "2° for a note & draft"

1. TO.

res—First sheet

GPB—30,000—3-4-07.

Serial No.

Jakavi advances may be made for the construction or improvement of tanks. But this case is complicated by the fact that B. Gangiah is already indebted to Govt to the extent of Rs 577½ under G.O. No 12923 / Rev. 449-05-2 dt 6/4/06, he has to liquidate the amount by an annual payment of Rs 100. The petition does not contain any reference to this obligation. It is not known whether the debt has been discharged to any extent. Moreover the Rev. Comr may himself grant a loan to the extent of Rs 2500 under the rules.

Orders are solicited whether the Rev Comr may be asked to conduct a necessary investigation in the matter & to grant the loan if permissible with a reference to Govt for information

Submitted for orders.

5/4/09.

5/4/09 The allegations made in the petition are misleading. The petitioner has not become thereby a private tank entitled exclusively for which a loan can be granted for enlargement.

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

the capacity of a first tank. The Pambanapalli tank was restored in the year 1905 by the L.W.P, the petitioner in consideration of his brother's services being allowed to pay the contribution of Rs. 1577-8-0 by annual instalments of 100 Rs. He was also given the 80 acres marked thereon to be irrigated by the tank at the same time on account of the scarcity that prevailed in 1906. He has remitted one instalment and allowed to pay the balance at the rate of half the instalment originally fixed in double the period. It is not clear that remission be to given for payment of the remaining instalments due by him and whether he has been paying them regularly. There is no information as to whether enlarging the capacity of the tank will benefit or improve the lands. But

Note—Contn. sheet.

GPB—50,000—13.5.08

G. R. S. 12]
General and Revenue Secretariat.

Agra File No. 208 of 1908

Serial No.

There does not seem to be much necessity to investigate the question at this stage as the Petitioner is clearly not entitled to a loan for the improvement of a kutcha tank & he may therefore be informed that the loan cannot be granted. As for altering the capacity of the tank when he may apply to the local authorities who will no doubt undertake the work if it is found to be remunerative if the Petitioner pays suitable contribution

S.
5/4/09

Let us first call for a report from the Dev Cr. (See on the reverse)

S
5/4/09

Call for a report

Submitted with 2 Drafts

TSA
6/4/09

JWC
S
7/4/09

RK
7/4/09

NOTE—Contn. sheet.

GPB—50,000—15-5-08.

G.R.S. 12]
General and Revenue Secretariat.

Apr File No. 208 of 1908

Serial No.	
	To
2	The Rev. Comr
	No 8570 Dt 16.4.09
	Calls for a report whether the loan asked for may be sanctioned
	Endt to Mr Gangiah informing of the above. Nos 8571 & 6.
	From the Rev. Comr
3	No 1939 Dt 9.8.10
	States that the report he has called for from the Dy. Comr has not yet been received and suggests certain enquiries to be made & the Case disposed of, if possible after a reference to Mr Gangiah & the Chief Engineer.
8	The points of enquiry suggested are set forth in the letter of The Rev. Comr further states that, if so desired by Govt, he will conduct the enquiry & submit the report.
9	According to the original grant of the land to Mr Gangiah he has to pay a Contribution of Rs 457-8-0 & an annual assessment of Rs 45 on the extent of about 78 acres forming the catchcat of the tank. Mr Gangiah alleges that only about

Key C

Key X

NOTE—Contn. sheet.

GPB—55,000—27.4.09

Serial No.

23 Acres can now be irrigated and that if even R. 200 more are spent in improving the capacity of the tank it may be made to hold only 45 Acres. He adds that the Superintending Engineer recommended sanction to the estimate but that the Chief Engineer rejected the proposal and he (applicant) applied for the loan with a view to get the work done at his own cost.

10 If these allegations are true, the question whether the tank should be improved at an additional cost to Govt or the petitioner asked to resign the irrigable portions of the land or whether dry assessment should be levied on it in lieu of the wet assessment will perhaps become material & the case will have to be disposed of in P. W. Dept.

11 Submitted with a draft to the Rev. Comr to conduct enquiries as he has suggested for approval or other orders. Issue

188 10 Apparently the Ch Engr

13/8/10

8 Nos 4.
20 Rev Comr
20 R 1090 2/18-8-10
states that he may make enquiries as suggested in Nos 9 & 10

NOTE—Contn. sheet.

RK 13/8/10

GPE—55,000—27-4-09

Serial No.	
	does not consider that the further improvement of the tank is ~~not~~ necessary. What is the objection to getting it done at the Public cost if the tank the ryots is not allowed to claim any rights in the tank by virtue of this contribution. It will only be some additional contribution. In the case of private enterprise tanks which are not tanks vested by private individuals at their own cost the ultimate right to the tank vests in Govt
	13/8/11
4(a)	Letter No 8673 of 20.2.1911 from the Revenue Commissioner stating that a reminder has been issued to the Dy Commr Kolar expediting the submission of the report called for & that it will be submitted on receipt.
	By Submitted. ~~both dupes calling for early submission of the Report~~
	12/11 Mr. Ganjiah is dead. The papers may be kept by till we hear from the Revenue Commr finally. If necessary

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

A/R File No. 208 of 1908

9

Serial No.

the usual reminders will be sent to the

Cs
1914/11

Dr
1914

1422

From

5

B. Puttaswamaiya.
Son of late Mr Gangiah
Petition of 1.5.11

Recites the facts of the Case, and states that while the question of the improvement of the tank was under discussion, the Sy Comr ordered Coercive measures to be taken for the recovery of the arrears of Kandayam and pray that the extent of irrigable area under the tank may be ascertained from the Chief Engineer the assessment on unirrigable area may be remitted and that the tank may be ordered to be improved.

Dewan's order — ? for references if any here or to Rev. Comr. for disposal or report if [redacted] orders

Note—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

Agri. File No. 208 of 1908

Serial No.	
	of Govt are necessary"
	A report has already been Called for from the Rev. Comr in the matter. The present petition may be sent to him asking him to expedite the submission of the report. Submitted with a draft
	Issue as desired.
	5/5/11 Mr. Sanjiva Rao,
	It is doubtful if the loan will now be required.
	5757
	As the following report of the Rev. Comr is received in the meanwhile the draft approved is not issued.
6	From
	The Rev Comr
	No 11319 dy 6. 5. 11
	Forwards a copy of the Dy. Comr's report on the loan application of

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G.R.S. 12]
General and Revenue Secretariat.

Agri File No. 208 of 1908

Serial No.

of Mr Gangiah and states that as Mr. Gangiah is dead & there is no chance of his successor being able to pursue with the undertaking the improvement of the tank may be refused & steps may be taken to realize the arrears due.

From

The Rev Comr

No 11808 dt 22. 5. 11

Forwards a petition from Puttaraniah, son of the late Mr Gangiah stating praying that a sum of Rs has been spent to make the lands under Ramakalli tank fit for cultivation & that the wet assessment due on such of the lands as could not be cultivated owing to insufficient water may be ordered to be remitted & that necessary improvements to the tank may be executed, & also forwarded original a set of documents showing that large amounts had been raised on the security of these lands for their improvements & that money has been advanced to the ryots to take up the lands for cultivation.

The following are the facts:-

Hag C.

G. O No R 6028-9/Rev.-77-04-3 dt. clearly sets forth the circumstances under w

Note—Contn. sheet.

GPP—50.00—12.8.10

Serial No.

the Pembarhalli tank was ordered to be restored as an ordinary work although the ~~Chief~~ Engr. P.W.D had ordered in 1902 that it should be taken up as a famine programme unless the ryots should deposit a contribution of Rs 20 an acre of the atchkat. The major portion of the atchkat, Viz 75 acres, 35 gunts was given to Mr Gangiah in recognition of the services which he & his brother had rendered to the State. Although One Bheema Rao had deposited the entire Contribution of Rs 1500 & odd towards the restoration of the tank & the then Dy Comr, Mr K. L. Puttannachetty ~~that~~ thought at the time that Mr Gangiah was deserving of assistance, prevailed upon Bheema Rao to take back his deposit with interest. The tank was restored by the P.W.D. at a cost of Rs 5291. Mr Gangiah improved the lands according to him at a Cost of Rs more than 20. In actual practice, he found only 24 acres of the atchkat irrigable & the rest 51 acres could not get water. He ever since represented that the tank might be improved so as to hold a larger quantity of water. Mr. Y. Sreenivasa Rao who inspected the tank as Superintending Engineer, has recorded that the only best course would be to improve the tank which, when done, would

Flag Z.

Flag F

Subject to the condition that he a contribution of Rs 1599½ should be paid in an annual instalment of Rs 200 which was subsequently modified to Rs 100.

Flag B

Flag J. Flag R.

Flag P.

Flag R.

GPB—55,000—27-4-09

Serial No.

increase the Capacity by 19 units & that water would irrigate about 45 or 50 acres in all. He also stated that there would be an annual outturn of Rs 261 on an outlay of Rs 5748 excluding Contribution of Rs 1500 promised by Mr Gangiah. The present Chief Engineer has calculated this to be 3·6 p.c on the total outlay inclusive of the Contribution.

Mr Hamza Hussain who also inspected the tank has stated that the lands lying waste for 30 years have been improved by Mr Gangiah at considerable cost. In their Mahazar, the ryots had stated that the lands unirrigable were even better than those irrigable & that they had valued both at Rs 30 an acre. Mr Hamza Hussain admitted the above to be a very low estimate & stated that if the tank should be further improved each acre of land would be worth Rs 100. ~~Mr H~~ He has further recorded that it is but right that the tank should be improved & that if the security for the loan asked for is low, Collateral security

Note—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

may be taken.

Previous dispatch (V)

For these 5 years, a total sum of 1762-11-0 was due from Mr Ganpath to Kandayam of which a sum of Rs 372-8-0 is shown to have been paid & Rs 204-11-0 to have been remitted on account of scarcity in 1908-9. Deducting the payment of Rs 332-7-4 made for 1910-11, a balance of 852-12-11 is still shown against Mr Ganpath. The Kandayam is calculated on the entire holding of 75 acres - 35 guntas of which the major portion of 51 acres has been admitted to be unirrigable by the Rev. & P.W. Depts. The Dy Comr who has taken a view contrary to

Do para 8.

that of Mr Hamza Hussain, states that when Mr Ganpath applied for the lands, he was perfectly aware that he had to pay wet assessment for the entire Atchkat whether the tank was capable of irrigating it or not entirely or not & that he was also cognizant that there were other applicants who were willing to take the lands on these conditions.

Set.

Serial No.

× Flag Q 90

Mr Gangiah repeatedly mentioned that he accepted the lands in the belief that the entire atchkat could be irrigated. In their repeated prayers for the construction of the tank before it was actually done under the circumstances above narrated it is evident that the ryots fully believed that the tank could irrigate the entire atchkat. The Executive Engineer in his letter No 377 of 6. 9. 10 states that the tank was, when restored in 1905.6, assumed to get its full supply twice & to irrigate nearly the full atchkat.

Flag V

Mr Gangiah prayed that the unirrigable portion of the atchkat might be classed as dry, wet assessment being levied on the irrigable portion until the tank should be put in repair. The Dy Comr has observed on the matter that no promise was made when the lands were given that the assessment would be reduced & that Mr Gangiah

Papers under Serial 11 & 12

GPB—55,000—27-4-09

Serial No.

Peramby is bound to pay the wet assessment on the entire atchkat whether the whole is irrigable or not & that it will be injustice to the other ryots who would have taken the lands paying the wet assessment if Mr Gangiah is allowed to continue in possession of the lands with the wet assessment reduced to dry on the unirrigable area. He further states that "the best course to adopt would be to allow Mr Gangiah to resign such of those lands which have been classed as wet for which he is not willing to pay wet assessment & after he does so to class them as dry & subsequently to put them to sale at a public auction". It is a question whether this is an equitable course when 3/4 of the atchkat is admitted unirrigable & when a considerable amount has been spent by the family to bring even the unirrigable area lying fallow for 30 years into an improved

NOTE—Contn. sheet.

9PB—35,000—27-4-09

Serial No.

Condition The ryots referred to by the Dy Comr were given the first offer to take up the lands paying Contribution towards the Construction of the tank. They failed to avail themselves of the opportunity Even Bheema Rao who had deposited the Contribution amount cannot now complain as the then Dy. Comr stated in his D^o. to the Diwan that no undue pressure was used when he was induced to take back his deposit. Moreover his withdrawing his deposit was purely voluntary according to his own statement given at the time. It is a point for orders whether Mr Gangaiah's son, the present applicant may be allowed to continue in possession of the lands with the assessment on the irrigable area reduced, wet assessment being levied only on the irrigable portion,

Hag D.A.H. (vide 5)

Hag J.

J.

× Hag. Gr.

GPB—55,000—27.4.09

P.T.O.

Serial No.

Flag K

If In the opinion of the DC Comr the further improvement of the tank is not recommended As Mr Y. Sreenivasa Rao has expressed himself differently in the matter the question may be taken up & discussed by the P. W. Department.

Submitted for orders

15/5 (Ag) The points for consideration 26/5/11 are :-

(1) Whether the tank in question admits of further improvements

(2) Whether further improvements may be permitted to be effected by the petitioner by granting him an advance of Rs 2000/- for the

(3) Whether it is equitable to demand full wet rates on all the 75 and odd acres while the tank water irrigates only about 25 acres.

(4) and whether it is equitable to compel the petitioner to resign those portions for which he cannot pay wet assessment and retain only the remaining area.

NOTE—Contn. sheet.

GPB—55,000—27.4.09

Serial No.

23. Both the Executive Engineer and the Superintending Engineer are in favour of raising the waste weir by 2 ft so as to store water enough to irrigate 50 acres. While the Dy. Commr. of Kolar is not in favour of reducing the wet assessment on the unirrigable area he does not recommend any improvement to the tank as the storage of a large supply of water will conduce to the unhealthiness of the Village besides submerging 9 acres of land. The Rev. Commr does not give any opinion but simply says that the matter is one on which Govt have to pass orders after referring the matter to the Chief Engineer.

24. As M. Ganjiah is dead the question of a Takavi advance may be dropped. ~~Considered~~

25. It will be seen that when M Ganjiah consented to pay the full wet assessment he was fully under the belief that the tank would irrigate the full area of 75 acres. It is not known at what height the waste weir was before the bank was restored and why it should

NOTE—Contn. sheet.

GPB—55,000—27.4.09

Serial No.

not be so raised as to contain full supply:- It is however explained that it cannot be raised more than 2 feet and even then the water will not suffice to irrigate more than 50 acres.

23 When the Dy. Commr recommended as an act of clemency and generosity to the family of a highly respected public servant and when the Govt graciously sanctioned the recovery of contributions at Rs 100/ per annum M. Murrayganeja alone was dead. Now that M Ganeah is also dead, and the only earning son of M Murrayganeja, (Manisamy) who was an agricultural Inspector in the Kebbal Farm is also dead, the maintenance of the whole family is entirely in the hands of the present petitioner Puttaswamiah who holds a small post in the P.W. Deptt. According to the Dy. Commrs account the amount due by M Ganeja, both on account of Kandayam and of contributions is Rs. 2346/- and according to the petitioners account it is only Rs. 160/- as detailed below:—

NOTE—Contn. sheet.

Agri' File No. 208 of 1908

Serial No.		wet	dry	total
	1906.07.	127	72	199
	1907.08.	127	72	199
	1908.09	63.8	72	135.8
	1909.10	127	72	199
	Total	444.8	288	732.8

Contribution in arrears for 2 yrs 200.0

Total — 932.8

Paid by Mr Ganesh 372-8-0

Do Puttaramiah 400 on 11.1.11. 772.8

Balance — Rs 160.4

27. From the documents enclosed in his petition the petitioner appears to have drawn on all his resources to meet the demands of Govt and of his ryots to whom he has advanced money for cultivation.

28. The File may be referred to the Chief Engineer unofficially for opinion as to the feasibility of raising the waste weir by 2 feet and of the exact area that can be brought under wet cultivation.

CE 29.5.11 29. A report may be called for from the Exe Engineer as to the exact extent which the tank in its present condition is capable of.

Serial No.

irrigating ; whether it is possible to improve it so that the entire cultivated area may be irrigated. When the Local Agency of the P.W.D themselves made a mistake as to the entire extent that could be supplied with water from the Canals, the Ryot for whose benefit may be incurred for failing with the same mistake, it would be hard to insist upon his paying the full water assessment as he is liable to when it is proved that only a third of the entire cultivated area may be irrigated so as to bring within reach of the land as cannot be irrigated is no relief as he loses the benefit of the expenditure incurred by his father in making the land suitable for cultivation pending receipt of the Chief Engr's report the concise measures decided to be taken by the Dy Commr to recover the arrears

NOTE—Contn. sheet.

GPB—55,000—27.4.09

Serial No.

may be enlarged

&

Ley / 31/57

37 30/ I do not think there is much use in Consulting the Chief Engineer at this stage. The reports of P.W. offrs in the file show beyond doubt that the Capacity of the tank can at the most favourable estimate be increased to 45 units, & one officer puts the possible maxm at only 35 units.

31 31/ It is therefore quite clear that by no means can the tank supply an adequate supply of water to nearly 75 acres, which the Survey dept has classified as the ayacut of the tank.

32 32/ It also seems to be quite useless to spend another 2000 Rs & more on the tank to irrigate a few more acres. Neither is it Consistent with Govt policy to allow a private person to spend money on a Govt tank and effect a ~~questionable~~ doubtful improvement & then

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

give rise to inconvenient rights or equities as against [illegible]; 33/ The only proper course is to revise the assessment on the lands & class the unirrigable lands as dry, without waiting for the Re Survey. If this action is decided upon the coercive processes may be stayed & the Survey Supdt asked to have the lands reclassified & reassessed in consultation with the Dy Comm & Chief Engineer.

Under the main absolutely relinquishes attach all claims to any exceptional treatment now or in the future

12196
23-6-11

Dewan)

CBB
20/6/11

9364 Note Dpr Memo on the Dy Commr Divisional that pvt canal not even miscanthus on the bank Pvt Maybe told so.

3 It is stated that out of an area of 75 acres 35 guntas only 25 (or 30) are irrigable & that yet the remainder has been fully assessed & notwithstanding investigation - If the explanation be as stated above the Dy Commr's letter No 8308 of 6th April 1911 & the Revenue Commissioner's

454

Note—Contn. sheet.

GPB—35,000—27.4.09

Dpr Memo (Dpr file 11787) is put up with this.

Serial No.

That "the Tank had been breached at the time of the last Survey & Settlement & nevertheless the lands were classed as wet at that Survey" ~~The Board~~ the acknowledgement is simple viz either a partial remission of the assessment on the land classed as wet but which is found to be uncultivable or ~~a Cancellation~~ alteration of the wet into Dry.

Caps from

33. We remarked at one place therein one in these papers that "it is inconsistent with Govt policy "to allow a private person to spend money on a public Tank". I don't see the force of this - When we hold Govt responsible for the upkeep of Minor Tanks (such as this is) I don't see why Govt can't on the other hand claim an outlay so as to improve & restore the Tank to efficiency - Their ryot occupant of the entire attachment -

34. I am inclined to hold that all reasonable relief is due on account of the uncultivable 51 Acres of "wet" land.

GPB—55,000—27-4-09

Serial No.

That "the Tank had been breached at the time of the last Survey & Settlement & nevertheless the lands were classed as wet at that Survey" the acknowledgement is simple viz either a part remission of half assessment on the land classed as wet but that is found the impossible & the alleged wet into Dry.

Clap from 35

We remarked at more than one in these papers that "it is inconsistent with Govt policy "to allow a private person to spend money on a public Tank". I don't see the force of this - When we hold Govt responsible for the upkeep of main Tanks (such as this is) I don't see why Govt can't on the other hand call upon Govt to improve & restore the Tank to efficiency - Their sole occupant of the entire settlement -

30

I am inclined to hold that all reasonable relief is due on account of the unirrigable 51 Acres of "wet" land.

tn. sheet.

GPB—55,000—27-4-09

28/Jan

G.R.S. 12]
General and Revenue Secretariat.

A/M File No. 208 of 1908.

Serial No.	
8	Memo from the Chief Engineer for Mysore to the Dewan for orders dt 22-5-1911 Forwards another petition for Puttusamiya's case of Mr Ganjam for disposal; States that the capacity of the tank is 26 mins & it can irrigate only 30 acres that as regards return the Dy Comrs figure of 2-9 per cent may be accepted and that under the circumstances brought to light in the Dy Comrs letter it does not seem desirable to spend more money for the improvement of the tank.
27	Dewan's order on this memo. To Gl & Rev Secy to be put up with the papers in the Rev dept & worked up for disposal. 28 TAR: 26.6.11.
28	The Rev Dept papers have since come up to me. Vide my note on the file. Letter should issue to Dy Comr accordingly. (Sd) T A R 28 June 1911.

—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

File No. 208 of 1908.

Serial No.

1 Ltr for a draft

2

3

2 Drafts subs.

Ltr - 133

3 7/11 A draft G.O and an Endorsem to the petitioner are subd for approval or other orders.

4 The Chief Engineer says that the tank in question is a minor one, but in his letter N°. 1939 dated the 28th July 1910 the Rev. Commr. states that the tank is a major tank and the ayacut under occupation being 75 acres and assessed at over Rs 400/-. Whether major or minor the ryots are liable for their upkeep, but cannot improve it by raising the waste weir without sanction of Govt.

The tank is minor, if its irrigating capacity is taken into consideration

5 The lands and the tank were made over to Mr Ganapiah on after the tank was restored. So the portion in the draft relating to remission of half assessment may be omitted.

This is not correct. The tank & the lands were made over (Vol H)

6 An alternate draft letter to Dy Comm is also put up as directed by the Revenue on the D. P. W. file.

NOTE—Contn. sheet.
Gen. G. 6 a

P. P. B.—50,000—12-8-10

H. R. S. 12]
General and Revenue Secretariat.

A/r File No. 208 of 1908.

Serial No.

Sent with a draft
e
11/7/11

Draft may be approved.

Dewan) 7/8/11

Two drafts approved by the Dewan.

23/9/11

Issue 25/9/11

13041
16-8-11

By

To
The Resr Comr in Mysore
" Chief Engr of Mysore
" Supt Rly Surveys
" Dy Comr Kolar
Go No R 2075-8 dd 25-10-11
States that Govt. cannot
sion any further outlay for
the night of the Bombarahalli Pass
that the petitioners may be informed

NOTE—Contn. sheet.

Serial No.

to all reasonable relief in regard to the unirrigable portion of his lands;

Requests the Supt of Survey to have the lands reclassified and reassessed in conjunction with the Chief Engr & the Dy Conservator and directs that pending the revision of assessment only half the wet rate be ~~levied~~ recovered from the Petitioner on the lands that are unirrigable

Declines to sanction the loan of Rs 2000/ asked for for improving the tank as the security offered is insufficient and

Directs that early steps be taken to realize the balance of instalments due and any arrears of Revenue that may be still outstanding after giving the pet. the benefit of the remission as sanctioned above.

10 Endorsement to the Petitioner: B. Puttusamy.

GPB—55,000—27.4.09

G. R. S. 12]
General and Revenue Secretariat.

Apr File No. 208 of 19 08 Vb

Serial No.

Am Clerk to B Gangadhara

No R 207 & 8 25-10-11

Informs him that Govt cannot incur any more outlay on the Combanahalli tank and that the question of remitting assessment on the unirrigable portion of the land has been referred to the Supt of Revenue Surveys for necessary action

NOTE—Contn. sheet.

GPB—50,000—1

6270

V. P. Madava Rao Esquire. C.I.E.
Dewan Bhadur
to His Highness the Maharaja
of Mysore

Sir,

I beg to request that you may be pleased to order that 2050 ft. may be given to me, as a Makami advance, in order to improve the Peentavaliilli tank, in the Mukhagal Inlug, as the present capacity of the tank, will not hold more than 26 mds of water.

I hold 80 acres of land below the said tank, & the present capacity of the tank, is quite inadequate to cultivate 80 acres, I am prepared to

But may be done by the Rules for mit
31/8/96
BVL for Mr

2

to hypothecate the lands below the said tank, for the amount. Both the Superintending and Executive Engineers have estimated the cost of improving the tank at the sum of Rs 2050/-.

I further beg that early orders may be issued to advance me the money, so that I may commence the work without any further delay.

I beg to remain Sir
Your most obedient servant.

Bangalore
26.3.093.

H. Gunjiah

D6270 · 5 Agm 208-08 = L

GOVT. OF H. H. THE MAHARAJA OF MYSORE,

GEN. & REV. SECRETARIAT.

No. R. 8570
& 16/4/09

OFFICIAL MEMORANDUM.

The accompanying ~~Appeal~~ Petition No. 6270 dated 26. 3. 09. received ~~at the Secretariat Office~~ from Mr B. Gangaiah, retired Sub-Registrar at Kolar, praying for an advance of Rs 2050 for the increase in the capacity of the Pombarhalli tank in the Mulbagal Taluk is forwarded, ~~together with its enclosures~~, to the Rev. Commissioner for causing necessary investigation to be made in the matter and to report whether the loan asked for may be advanced for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition ~~with its enclosure~~ should be returned.

By Order,

25/4

for Secretary.

BANGALORE,
190

MGCPB—2,000—1-12-04.

G. R. S. No. Agri 208--08--2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE SECRETARIAT.

No. R. 8541 The 16/4/ 1909

ENDORSEMENT GRANTED TO Mr B. Ganapaiah

Retired Sub-Registrar

in reply to his Petition dated 26. 3. 09

praying for takavi advance of Rs 2050

Petitioner is informed that a report has been called for from the Deputy Commr on the matter

By Order,

Secretary

Copy to 1/4/09

MGCPB.—1,500—1-12-04.

No. 1537 OFFICE OF THE REV. COMR. IN MYSORE,

Bangalore, 28th July 1910. *190*

Agri 208-1908
Sl. 3

FROM

Rajakarya Pravina,
A. RANGASWAMI IYENGAR, ESQ., B.A., B.L.,
Revenue Commissioner in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments.

SIR,

With reference to your official Memo No.8570- dated 16th April 1909 referring an application from Mr.Gangiah Pensioned Sub Registrar, for a Takavi loan of Rs.2,050/- for report, and subsequent reminders, I have the honor to state that it has been forwarded to the Deputy Commissioner of Kolar with this office No.10703/1 dated 17th April 1909 for submission of a report with all papers at an early date. In spite of reminders of which the latest was sent to him in D.O.No. 364 dated 8th April 1910, no reply has as yet been received from him. I have again written to him to-day and shall deal promptly with the reference on receipt of his reply. In the meantime, I would respectfully invite your attention to some features of the case which have to be considered by Government irrespective of the answers of the Deputy Commissioner on points which are within the scope of his enquiry.

It will be seen, in the first place, that the tank is a major tank, the achkat under occupation being 76 acres assessed at over Rs 400/-. According to the petition of Mr. Gangiah addressed to me on 16th April 1909 (and enclosures) the tank was restored by the Public Works department at a cost of Rs 3700/- excluding about Rs 1,600/- contributed by Mr. Gangiah himself or at a total outlay of about Rs 5,300/-. The tank is thus a Government Tank and Mr. Gangiah's proposal to increase the capacity

of the tank at his own expense with a Takavi loan from Government is a novel one. In the first place, will the Department of Public Works consent or Government permit such an improvement ? It is not clear on what conditions Mr. Gangiah is prepared to carry out the work, even if the Government should sanction his proposal. Will he agree to the tank remaining as the absolute property of Government, and will he continue to pay full assessment on the lands which he may hold in the atchkat? It will be seen that even after the improvement at such additional outlay, the present capacity of the tank which is said to be 26 units will only be raised by 19 units or to 45 units altogether. Mr. Gangiah says that he is able to cultivate only 23 acres at present. It stands to reason that he will be able to bring under cultivation only about 17 to 20 acres more, and nearly 36 acres must remain fallow. These are points on which Government have to pass orders after referring to Mr. Gangiah himself, and to the Chief Engineer, Public Works, if need be.

It is just possible that the Deputy Commissioner has ~~possibly~~ probably consulted the Executive Engineer, and is awaiting his reply, and may then wish to examine Mr. Gangiah before making his report. But rather than wait for his ~~reply~~ report after such enquiry, the Government may perhaps find it possible to dispose of the case if it calls upon Mr. Gangiah to submit his say on the points of view suggested in the preceding paras. Or, if the Government so desire, I shall examine Mr. Gangiah and submit an ad interim report.

I have the honor to be,
S i r,
Your most obedient servant,

For Revenue Commissioner.

B.K.R.

OFFICE OF THE REVENUE COMMISSIONER MYSORE
No 12935
Date 17.4.07

2

To

A. Rangaswamy Iyengar Esquire B.A.B.L
Revenue Commissioner in Mysore
Bangalore.

Sir,

I beg to bring to your recollection that when you were Deputy Commissioner of the Kolar District, I applied for the whole of the land below Pembarahally Tank in the Mulbagal Taluq Kolar District, and this was granted to me after 8 years. The ayacutkat is 78 acres assessed at Rs 5½ an acre. The land was lying waste for nearly 30 years and I had to spend nearly Rs 70/ to bring it under cultivation.

The Tank was restored at a cost of Rs 3700/ deducting my Contribution amount Rs 1600/- at Rs 20/- per acre. Upon this outlay of Rs 3700/ I have to pay an assessment of Rs 450/. My past experience of 3 years showed that I was able to cultivate only 23 acres, with the quantity of water which the tank

3700
+1600
=5300

holds, & can hold at present. This I represented to the Superintending Engineer who called for a report from the Executive Engineer. This officer after a personal inspection of the tank, reported that its present Capacity would only hold 26 units, & if it was improved at the Cost (Rs 2000) it would hold 19 units more making in all 45 units.

The Superintending Engineer after personally verifying the report of the Executive Engineer recommended that the only Course left was, to Sanction the estimate submitted by the latter. But unfortunately the Chief Engineer did not Sanction the estimate, stating that if September & October rains were to fail, 30 or 60 acres would be cultivated.

I need hardly say that this argument is purely hypothetical & conditional, & that it does not deal with the existing facts. We might as well say that if the Kaveri River were to flow into the tank, I would be able to cultivate the whole extent 80 acres.

Yours

upon such supposition. How can I be expected to pay assessment amounting to Rs 4507, on 80 acres; I leave this to your Lordship of justice to Consider, whether the Chief Engineer is fair in his argument.

When I saw that there is no chance of the estimate of Rs 2000/ being Sanctioned by Government, I applied for a loan of Rs 2000/ on Makani System, to improve the tank myself, having in view the amount of Kandayam & the Contribution Sum I have to pay.

I now beg that you will kindly order that the amount may be advanced to me, on the Security of the said land if it is worth that much. I ask for this conditional order, as, if the applicant has to go through the usual procedure there would be Considerable delay, & the Monsoon would in the meantime set in, & I would not in that Case, be able to repair the tank. Pembarahally village is an effected area, & if I Commence the work at once, it would relieve

the

the pupils of their Sisters at a time
like this, & with his prayers.

I beg to remain
Sir,
Your most obedient servant.
M. Grimpret

Bangalore.
16th April 1909.

Note

The Tolue area below Pumba-halla tank is 78 acres assessed at Rs 5 1/2 an acre. The actual amount spent by Government is Rs 3705/- deducting contribution amount Rs 1600/. The Executive Engineer & the Superintending Engineer after personal inspection found, that the Capacity of the tank, would not hold more than 2b mints therefore recommended improving the tank, at a cost of Rs 2000/, in which case they found the tank would hold 19 mints more, making in all 45 mints. If Rs 2000/ are spent the actual outlay by Government would be Rs 5700/ which with fine an interest of 8% present, it is nothing but fair, that the tank should be improved — .

G.R.S. 29A]

Agri file no 208-08

1908 Misc .. 4

From

Secy. to the Govt. of His Highness
The Maharaja of Mysore,
Genl. and Rev. Dept.

To The Rev. Comr.

15/8/10

Dated 18th August 1908

Despatched

Received

General No. R 1090

No. Agri 208-08 1908-4

Enclosure No.

Sir

With reference to your letter No 1939 dy 9.8.08 regarding the applicate for a loan from Mr Gangaiah, Pensioned Sub. Registrar to enable him to increase the Capacity of the Pembarhalli tank, I am directed to request you to be so good as to make the enquiries

as suggested in the above
letter and submit the 13
report at an early
date for orders of Govt.
in consultation with the Govt

I have &c

for Secretary.

1318.

HK

If the P. WD
are not prepared
to undertake the
improvement, their

~~If the P. WD~~ It is obvious that
the work of
improving the Capacity
of the Canal has to be
done by the P. WD
and there seems therefore
to be no objection to levying
the entire cost as a
contribution from the
Company, if it is not
considered desirable to
insist on any further expenditure
on the Canal. Such
contribution cannot
~~give the Company a~~
~~right~~ to Confer Create any
rights on the Canal in
favour of the Company

B

Agr 208-08-4(1)

No. 8673 OFFICE OF THE REV. COMR. IN MYSORE,

Bangalore, 20th February 191

FROM

Rajakarya Pravina

A. RANGASWAMI IYENGAR, ESQ., B. A., B. L.,

Revenue Commissioner in Mysore.

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments.

SIR,

With reference to your letter No.R.1090/Agri.208-08-4, dated 18th August 1910, calling for report on the petition of Mr.Gangiah, praying for a loan for improving Pembarahalli tank in the Mulbagal Taluk, I have the honor to state that the report called for from the Deputy Commissioner has not yet been received in this office. An urgent reminder has been issued to him to-day to expedite submission of the report.

2. On receipt of report from the Deputy Commissioner, the report called for by Government will be duly submitted.

I have the honor to be,

Sir,

Your most obedient servant,

For Revenue Commissioner.

B.K.R.

No. 191 - 191 4185 R

From

RAJAKARYA PRAVINA

A. Rangaswami Iyengar, Esq., B. A., B. L.,

Revenue Commissioner in Mysore.

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
General & Revenue Departments.

Dated 20th

Despatched 25 February 1911.

Received

General No. 8673

Enclosure No.

SUBJECT.

Stating that a reminder has been issued to the Deputy Commissioner of the Kolar District, to expedite the submission of the report called for in the matter of prayer of Mr.Gangayya for a loan.

No 2893

To,

T. Ananda Rao, Esquire, B.A., C. I. E.,

Dewan of Mysore.

5172
R

Sir,

I very respectfully beg to state that the Government was pleased to give to my late lamented father Mr. Gungiah 75 acres of land below Pombara-Halli Tank in the Mulubagal Taluk in preference to other applicants. The lands have been assessed at Rs.5-8-0 per acre. My father took possession of the 75 acres of land agreeing to pay an acreage contribution of Rs.1,500/- on the distinct understanding that when the tank was restored by the Public Works Department it would be of sufficient capacity to irrigate its whole atchakat but he found from actual experience during the past 4 years that the tank could not irrigate more than 23 acres, even in years of good rain-fall.

When my late father represented the actual state of things to the then Superintending Engineer, Eastern Circle, he was kind enough to call for a report from the Executive Engineer. That officer inspected the tank and reported that in its present condition it could only hold 26 units, that about 30 acres were all that could be expected to be irrigated by it, and that if it was improved by raising the weir by 2 feet, it would hold 19 additional units whereby its capacity would be increased to 45 units

and that 50 acres were all that could be expected to be irrigated from the available supply of water. He accordingly submitted an estimate for Rs.2,300/- for the work. Mr. Y. Srinivasa Rao, Superintending Engineer on receipt of the said estimate inspected the tank and satisfied himself as to the correctness of the Executive Engineer's statements and recommended that the estimate prepared by that officer might be sanctioned.

The tank is a shallow one and the gauge stone points to 2½ feet depth but from experience it is -- seen that water never reaches a height of even 2 feet. Evoporation, wastage and consumption of water by the cattle of 8 or 10 surrounding villages materially deminish the supply available for cultivation.

The lands were lying waste for more than 30 years. The thick undergrowth of bushes &c., necessitated, after the restoration of the tank, an initial heavy expenditure of nearly Rs.1,000/- to make them fit for cultivation.

My father had paid under protest nearly Rs.400/- towards the Kandayam from 1906-1907 as his representations for the further improvement of the tank in question and the remission of the excess Kandayam were still under correspondence. Meanwhile, the Deputy Commissioner ordered the lands to be put to auction for realising -- the arrears of Kandayam. I have to pay an assessment of Rs.440/- on 75 acres per annum while I can cultivate only 23 acres with wet crops. This is very hard on me particularly as by the death of my father, his entire pro-

perty

the Supply to a Tenantment description.
biochemk was become so locally circumscribed as to reduce

Current rainfall was taken at the 39 acres catchment under
most cultivation and dry tanks on the remaining portion.I
Instruc declared on the 11th January last a cut of ----
Rs.400\- in the Tank Treasury at Mirzapur towards the
erection of Kennaway after the drains of a Tank Inspect-
ing Officer Dr. D. Gurley.

In accordance I most promptly and respectfully pe-
to enquire that Home Secretary will graciously make in-
to consideration the long and distressing services long m
ed to the Steps by My late father and My uncle, Dr. Smith
Gunning in abbreviation of Upton the land was started to
me and the Present reduced circumstances of the Ryot,
and Protect me by (1) obtaining the opinion of two Civil
Engineer as to the exact extent of land which the tan-
can at present irrigate, taking net assessment only on
that extent, and ordering the remission of the enhanced
assessment on the remaining portion which cannot be ----
Engineer.
recommended by both the Executive and Subordinate -
Irrigation work to the tank to be carried out and re
pairing major wear and tear (2) ordering the
long life and continued prosperity.

For this favour and I shall ever pray for Your

I am to remain,

Sir,

Your most obedient servant,

Bangalore.

30th May 1911.

No. 1319 — 1 & 2 files

OFFICE OF THE REV. COMR. IN MYSORE,

Bangalore, 26th April 1911. 191

6-May,

FROM :

Rajakarya Pravina
A. RANGASWAMI IYENGAR, ESQ., B. A., B. L.,
Revenue Commissioner in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments.

SIR,

Adverting to correspondence ending with your letter No. R. 1090/ Agri. 208-08-4, dated 18th August 1910, regarding the application of Mr. B.Gangiah pentioned sub-Registrar, for a Takavi loan of Rs 2050/-, to enable him to effect improvements to the Pembarahalli tank in the Mulbagal Taluk, I have the honor to forward herewith a copy of letter No. 8308/484, dated 16th April 1911, from the Deputy Commissioner, Kolar District, submitting a full report on the subject and to state that Mr. Gangiah being dead there is no chance of his successor being able to persevere with the undertaking. It will be better to refuse sanction to the improvement of the tank and proceed to realise the arrears.

2. Two files of vernacular papers bearing on the subject are also forwarded herewith for reference and kind return.

I have the honor to be,

Sir,

Your most obedient servant,

For Revenue Commissioner.

EB

5211

191 - 191

From

RAJAKARYA PRAVINA,

A. Rangaswami Iyengar, Esq., B. A., B. L.,

Revenue Commissioner in Mysore.

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
General & Revenue Departments.

Dated 26th April
Despatched 6th May } 1911.
Received

General No. 1139.

Enclosure No. 1 & 2 file

SUBJECT.

Forwards copy of Kolar Deputy Commissioner's ~~Xxxxx~~ No. 8308/484 dated 16th/19th April 1911 on the loan application of late Mr. Gangiah, retired Sub-Registrar.

Letter No. 8308/484 dated 16/19th April 1911, from the Deputy Commissioner, Kolar District, to the Revenue Commissioner in Mysore.

Adverting to your Office Memorandum No. 10703 dated 17th April 1909, forwarding for report, a petition from Mr, B.Gangiah, Retired Sub-Registrar, praying for a Takavi loan of Rs 2050/-, for increasing the capacity of the Pombarahalli Tank, in the Mulbagal Taluk, and subsequent correspondence ending with your office memo. No. 2985 dated the 2nd September 1910, I have the honor to state that the execution of further repairs to the tank would be quite useless, undesirable and ~~~~ sheer waste of funds in face of the opinion of the Chief Engineer who has expressed himself thus:-

Vide docket No. 930/4812 dated 28th August 1902, from the Secretary to the Government , P.W.D. to the Superintending Engineer, Eastern Circle,

" Has the honor to inform the Superintending Engineer that the Chief Engineer observes that he never came across a more useless project. The Catchment area is 1. 5 squar miles and more than 40 to 50 ~~area~~ acres can never be supplied with water in good years. It is a minor tank even when restored with revenue of perhaps Rs. 200/- in good years. However the project is sanctioned as a Famine work and returned herewith. It should be carried out when no other work is available in the vicinity for relief".

These observations have not lost their force, but rather accentuated by the present condition of the tank in spite of its having been subsequently restored at a cost of Rs 5300/-, somehow as an ordinary work.

Vide Government Proceedings No. R. 6028-9/mis 77-3 dated 10th January 1905.

The question under these circumstances, now, is whether in addition to such outlay of Rs 5300/-, a further sum of about Rs 2500/-, which is the estimate of the proposed problematic improvements ought to be spent. I inspected the tank on the 9th September last with the Sub-Division Officer, the Amildar, and the villagers, and found that the ~~~~ apron had subsided during the early rains of the previous few days even at the present level of the weir, (which is considered by Mr. Gangiah as low) and with the limited quantity of water impounded in the tank, in spite of its having been thoroughly restored and the apron only recently rebuilt

Vide Executive Engineer's docket No. 377 dated 6th September 1910.

20

in 1906. If the needful repairs to the present damage are not immediately carried out, there may be ~~serious~~ serious damage done, when heavy rains fall. The catchment area being hilly and the ground towards the bed which is very much silted up, steep, water rushes ~~in~~ into the ~~tank~~ tank with tremendous force, and whatever may the improvements undertaken, frequent repirs costing enormous sums will be inevitable with no adequate advantage, but attended with risks to lands and the village below, not far off from the tank.

2. Towards the cost of the restoration of the tank Viz, Rs 5300/- Mr. Gangiah had ~~promised~~ promised a contribution of Rs 1588 to be paid ~~in~~ in annual instalments of Rs 200/- each. He has hitherto paid only Rs 200/- and has defaulted in the payment not only of the contribution amount, but also ~~of~~ % of the kandayam on his lands, the total amount now due from him being Rs 2340-12-0. As ~~matters~~ matters stand at present, while the Government have incurred a heavy outlay for the restoration of the tank, the amount of kandayam (including interest and notice fees) recovered from Mr. Gangiah since then, is only Rs 705-7-4 as shown below:-

1906-1907.....	Rs 210-0-0
1907-1908.....	Rs 130-0-0
1908-1909.....	Rs 0-0-0
1909-1910..... and 1910-1911.....	Rs 33-0-0 Rs 332-7-4
	705-7-4

(Received on 15-2-11).

The realisations to Government being thus a little less than 3 per cent, there has not been a satisfactory return for the amount that has already been spent by Govemment , and under such circumstances, an additional expenditure of Rs 2500/- would be unjustifiable, especially when ~~there~~ there are several minor tanks in need of urgent repairs, for which the poor ryots are ready to give their contribution .

3. Whereas the present capacity of the tank is stated in several communications as 26 units, it is shown as 29 units in Executive Engineer, Mr. Krishna Iyengar's report dated 10th July 1907. Even if the weir is raised by 2 feet and allowing the most favourable run off of

30 units per square mile, about 45 units is all that can be expected from the catchment, and 45 (⊗) acres is the maximum area, that can be cultivated in ordinary years. Believing that the catchment is 1½ square miles Mr. Krishna Iyengar framed this estimate, but its extent appears to be only 1¼ square miles as Public Works Department Sub-Divisional Officer, Mr. E. Ramaswami Iyer, has found after (X) inspection of the locality. If the extent is only 1¼ square miles, the capacity cannot be more than 37½ units and it is estimated by Mr. Ramaswami Iyer to be only 35 units. If the proposed improvements are effected, the result will be that the capacity of the tank would be raised from 26 or 29 units ~~to~~ to 35 or 45 units, i.e, there would be an increase of 9 or 19 units ; assuming that the improvements would result in an increase of 19 units, the extra land that can be irrigated is only 19 acres assessed at Rs 104-8-0 at Rs 5-8-0 per acre. This is not an extra increase in revenue to Government by the proposed improvements, as all the lands below the tank have been classed as wet, and the owners thereof are liable to pay the wet assessment, even if no improvements are effected. Granting that without the improvements, these 19 acres can be levied only dry assessment, the revenue lost to Government would only be the difference between the wet rate of Rs 5-8-0 and the dry rate of Rs 1-8-0, or Rs 4-0-0 per acre, or in all Rs 76/-. If, however, the improvements are carried out, portions of S.Nos. 95, 94, 103, 104, 134, and 135 of Pombarahalli village and 14 guntas of land of Jodi Gangarasanahalli village, measuring in all 9 acres and 4 guntas get submerged, and their proportionate assessment about Rs 13-8-0, has to be written off the accounts. The net gain to Government will thus amount to Rs 62-8-0 only, which on the outlay of Rs . 2500 would give a realization of only 2.5 per cent per annum. This is the result, if the tank is improved to hold 19 units more, and it would be not more than 9/10 per cent, if the ~~this~~ increase in the capacity were only 9 units.

Vide- Executive Engineer's report no. 344 dated 10th May 1907, to the Superintending Engineer, Eastern Circle.

Vide report No. 69, dated 3rd February 1910.

4. The improvement , besides, will not result in storing enough water for irrigating all the lands below the tank; not more than 45 acres can be irrigated with the maximum supply of water, and there are no less than 80½ acres of land below the tank classed as wet and gardan.

5. Taking the total cost of the improvements already effected and those proposed

proposed into account and deducting therefrom the contribution leviable from Mr. Gangiah, the outlay would amount to Rs 6212/. The utmost that can be irrigated is 45 acres assessed at Rs 247-8-0; if the dry assessment of Rs 67-8-0 on these 45 acres be deducted, the net revenue would be Rs 180/- which is only 2.9 per cent per annum; and if the amount of contribution yet due from Mr. Gangiah is not deducted from the amount spent by Government, the percentage would be only 2.4. The increase which is expected to be so little will be still less, if to the initial out-lay is added the cost of improvement, which will have to be frequently undertaken. From the financial aspect of the Government, therefore, the improvements suggested by Mr. Gangiah are not desirable to be undertaken, more so when a portion of a Jodi village is likely to be submerged by the raising of the weir of the tank.

6. The next question is whether in the event of the Government refusing to undertake the repairs, the loan of Rs 2050/- applied for by Mr. Gangiah, may be granted for improving the tank on the security of the lands below it. In the first place, no private individual can be permitted to improve a Government tank. And secondly, the lands of Mr. Gangiah are no sufficient security. According to a statement presented by the shanbhog of Bombarahalli on 9th October 1910, the yield of Mr. Gangiah's lands in 1909-10 was only 30 kandies of paddy worth about Rs 200/-, it being still less in previous years; in none of the four years Mr. Gangiah has been cultivating the lands, was he able to realise therefrom even the kandayam due on them, which amounts to Rs 441/-. Since the income of the lands is not enough to pay their kandayam, I do not think that it is advisable to advance any money out of the State Funds on the security of such lands, having regard to the interests of the Public.

7. It is said that the value of the lands would enhance after the tank is further improved, but the loan is asked for now and not for after the improvements are effected, and we have to simply see whether in the present condition, the lands constitute sufficient security for Rs 2050/-.

8. Further, when Mr, Gangiah applied for the lands, he was perfectly aware that they were all classed as wet and that he had to pay

wet assessment on them, whether the tank was capable of irrigating them or no, and he was also cognizant of the fact that there were other applicants for the very lands, who were willing to take them up as wet lands, and that he was shown a great concession in that he was granted the lands in the face of the protest of the whole village, and even permitted to pay his share of contribution in annual instalments of Rs 200/-, when Bhima Rao, another Darkhastdar, for the said lands, had deposited in the Treasury Rs 1500/- as his share of the contribution long before the restoration of the tank was undertaken and which sum was refunded to him afterwards. No further wet cultivation is, besides, possible under the tank, the atchkat being so close to the village, which is already swampy and unhealthy, and no other higher eligible spot is available even for shifting the village site elsewhere. Mr. Gangiah has not till now proved himself worthy of the kindness shown to him by the Government, having defaulted to pay the annual contribution from 1906-07, being either unable to pay even the small amount of Rs 200/- every year, or unwilling to discharge his obligations, in either way, not deserving of any concessions whatever.

vide the statement of the villagers before the Amildar dated 28th December 1904.

9. Moreover, the kandayam on the lands of Mr. Gangiah is largely in arrears, their being a heavy balance of Rs 852-12-11 standing against him, exclusive of Rs 205, the remission granted to him for the year kaalaka as shown below:-

Year	Kandayam due	Kandayam paid	Kandayam remitted	Balance still due.
1906-07	440-10-9	210-0-0	.....	 230-10-9
1907-08	440-10-9	130-0-0	.....	310-10-9
1908-09	440-10-9	.....	204-14-0	 235-12-9
1909-10	440-10-9	32-8-0	.....	 408-2-0
Total	1762-11-0	372-8-0	204-14-0	1185-4-3
	Amount paid 1911 on account of kandayam.....			332-7-4.
			Balance	852-12-11

A person like Mr. Gangiah to whom such concessions were shown by Government, should have felt his sense of duty in the matter of due payment of kandayam, without allowing nearly a half of the last 4 years'

kandayam

kandayam to fall into arrears, and I would not recommend the grant of any loan to such a person.

10. There is very little probability of recovering from Mr. Gangiah's lands below the tank, the sums already due to Government, Viz, Rs 2340-12-11, being the arrears of contribution and of kandayam, and it would not do to give him another loan of Rs 2050/- and increase his liability to Rs 4390-12-11.

11. Mr Gangiah has brought forward another prayer that the lands which cannot be irrigated with water from the tank should be classed as dry, but he has ignored the rules on the subject that unless the existing classification is modified by a resurvey, he is bound to pay the full assessment on the lands taken up by him, on which understanding he darkhasted for the lands also, no concessions regarding the reduction of assessment having been made or promised when the lands were granted. The tank had been breached at the time of the last Survey and Settlement, and nevertheless the lands were classed as wet at that Survey. This is, however, a matter beyond the subject and purpose of this report; but this must be said also that many years after the survey, several persons came forward to take up the lands on their full wet assessment, such as Bhima Rao, Shanbhogue Seshagiriappa, G.Subba Rao and others, whose darkhasts do not show that they applied for the lands at any reduced rates of assessment.

12. Seeing that Mr. Gangiah was allowed by several of the other applicants and the villagers to take up the lands at a time when he promised to pay wet assessment on whole of them, it would be manifestly unfair to such persons if now all the lands are classed as dry and allowed to continue in the sole possession of Mr. Gangiah on the payment of dry rates. If they had foreseen or known that dry assessment would be fixed, several would have competed for the lands. The best course, therefore, to adopt would be to allow Mr. Gangiah to resign such of those lands which have been classed as wet, for which he is not willing to pay wet assessment, and after he does so, to class them as dry and subsequently to put them to sale at a public auction.

13. Under all these circumstances, I shall be failing in my

duty, were I to recommend either the any further repairing of t
at Government cost, or the grant of any loan to Mr. Gangiah.

14. The whole file of papers connected with the subject and the petitions of Mr. Gangiah are herewith submitted for reference.

" Copy"

For Revenue Commissioner.

Apr 208-07-87

OFFICE OF THE REV. COMR. IN MYSORE.

Bangalore 19th May 1911. 191

FROM

Rajakarya Pravina

A. RANGASWAMI IYENGAR, ESQ., B. A., B. L.,

Revenue Commissioner in Mysore.

To

The Secretary to the Government of

His Highness the Maharaja of Mysore,

General & Revenue Departments.

SIR,

In continuation of my letter No.11319 dated 26th Ap. 6th May 1911 in the matter of the restoration of the Pembarahalli Tank in the Kulbagal Taluk, I have the honor to forward herewith for the disposal of Government petition registered No.11380 dated 16th May 1911 with its enclosures from Puttasamiah, son of the late Mr. Gangiah praying that as he has spent more than Rs 1000/- to make the lands fit for cultivation, the wet assessment due on such of the lands as could not be cultivated owing to insufficient supply of water in the tank may be ordered to be remitted and that necessary improvements to the tank may be executed.

I have the honor to be,

Sir,

Your most obedient servant,

For Revenue Commissioner.

191 - 191

From

RAJAKARYA PRAVINA

A. Rangaswami Iyengar, Esq., B. A., B. L.,

Revenue Commissioner in Mysore.

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
General & Revenue Departments.

Dated Bangalore, 19th May 1911.

Despatched 22

Received

General No. 1808,

Enclosure No. 12,

SUBJECT.

Forwarding the petition of Putta samiah praying for remission of assessment due on his lands below the Pembarahalli Tank, Mulbagal Taluk.

Agri 208-08-81

27

MYSORE P. W. DEPARTMENT.

TO THE DEWAN OF MYSORE

FOR ORDERS.

—o—

As required in your orders on my Note dated the 10th February 1910, in th matter of the late Mr.Gangiah's request to increase the capacity of Pembarahalli tank (Regd: No.770 of Mulbagal Taluk), I beg to submit herewith the Revenue Commissio er's Memo No.11320 dated the 26th April furnishing his own opinion and that of t Deputy Commissioner on the subject.

2. The Revenue Commissioner has refer the question for orders to the General a Revenue Secretariat. The enclosed copy petition addressed to the Dewan, receive in this office from Mr.Puttusamiah (son of Mr.Gangiah) may also be disposed of there.

3. As reported by the Superintending Engineer, Eastern Circle, in January 1908, the present capacity of the tank is 26 units and it can irrigate only about 30 acres.

4. As regards return, the Deputy Commissioner's figure of 2.9 per cent may b accepted. The calculations by which the

GPB—500-22-11-10

Sh E

percentage of 3.6 was given by this Department is shown on the sheet attached.

5. Under the circumstances brought to light in the Deputy Commissioner's repor it does not seem desirable for Governmer to spend more money for the improvement of the tank.

Secretary to Government,
P.W.Department.

Camp Ootacamund,
22nd May 1911.

Br III/no: 1423

29

To,

M. Visvesvaraya, Esquire, B.A., L.C.E., M.I.C.E.,

Chief Engineer of Mysore,

BANGALORE.

Sir,

I humbly and respectfully beg to submit herewith a copy of my representation dated 1st May 1911 to the Dewa of Mysore praying for remission of wet assessment on the extent of land under Pombara Halli Tank in Mulubagal --- Taluk which it is not possible to bring under wet irrigation for reasons setforth in the petition. The tank - cannot irrigate its entire atchakat without further improvement works but the Deputy Commissioner has assessed the entire extent at wet rates.

I request you to be so good as to kindly give me such support as you deem I deserve in this matter explaining the Government the present situation and how hard it is for me to be called upon to pay wet assessment on the major portion of the lands not yet brought under irrigation owing to deficiency of supply in the tank.

I beg to remain,

Sir,

Your most obedient servant,

B. Puttaswamaya.

Bangalore.

5th May 1911.

To,

T. Ananda Rao, Esquire, B.A., C. I. E.,

Dewan of Mysore.

Sir,

I very respectfully beg to state that the Government was pleased to give to my late lamented father Mr. Gungiah 75 acres of land below Pombara-Halli Tank in the Mulubagal Taluk in preference to other applicants. The lands have been assessed at Rs.5-8-0 per acre. My father took possession of t 75 acres of land agreeing to pay an acreage contri bution of Rs.1,500/- on the distinct understanding that when the tank was restored by the Public Work Department it would be of sufficient capacity to irrigate its whole atchakat but he found from actu experience during the past 4 years that the tank - could not irrigate more than 23 acres, even in yea of good rain-fall.

When my late father represented the actual state of things to the then Superintending Enginee Eastern Circle, he was kind enough to call for a -- report from the Executive Engineer. That officer inspected the tank and reported that in its presen condition it could only hold 26 units, that about 30 acres were all that could be expected to be irri gated by it, and that if it was improved by raisir the weir by 2 feet, it would hold 19 additional uni whereby its capacity would be increased to 45 units

and

nd that 50 acres were all that could be expected
o be irrigated from the available supply of water.
e accordingly submitted an estimate for Rs.2,300/-
or the work. Mr. Y. Srinivasa Rao, Superintend-
ng Engineer on receipt of the said estimate inspect
he tank and satisfied himself as to the correctness
f the Executive Engineer's statements and recommend
hat the estimate prepared by that officer might be
anctioned.

The tank is a shallow one and the gauge stone
oints to 2½ feet depth but from experience it is --
een that water never reaches a height of even 2 feet.
vaporation, wastage and consumption of water by the
attle of 8 or 10 surrounding villages materially de-
inish the supply available for cultivation.

The lands were lying waste for more than 30 years.
he thick undergrowth of bushes &c., necessitated, after
he restoration of the tank, an initial heavy expendi-
ure of nearly Rs.1,000/- to make them fit for cultiva-
ion.

My father had paid under protest nearly Rs.400/-
owards the Kandayam from 1906-1907 as his representa-
ions for the further improvement of the tank in ques-
ion and the remission of the excess Kandayam were still
under correspondence. Meanwhile the Deputy Commissione
ordered the lands to be put to auction for realising --
the arrears of Kandayam. I have to pay an assessment of
Rs.400/- on 75 acres per annum while I can cultivate onl
23 acres with wet crops. This is very hard on me par-
ticularly as by the death of my father, his entire pro-

property has become so greatly encumbered as to reduce the family to a distressful condition.

Calculating wet rates on the 23 acres actually under wet cultivation and dry rates on the remaining portion, I further deposited on the 11th January 1911 a sum of ---- Rs.400/- in the Taluk Treasury at Mulubagal towards the arrears of Kandayam after the demise of my late lamented father Mr. B. Gungiah.

In conclusion I most humbly and respectfully beg to submit that Your Excellency will graciously take into consideration the long and meritorious services rendered to the State by my late father and my uncle, Mr. [illegible] Gungiah in appreciation of which the land was granted to us and the present reduced circumstances of the family, and protect me by (1) obtaining the opinion of the Chief Engineer as to the exact extent of land which the tank can at present irrigate, fixing wet assessment only on that extent, and ordering the remission of the enhanced assessment on the remaining portion which cannot be ---- brought under wet cultivation and (2) ordering the improvement works to the tank to be carried out early as recommended by both the Executive and Superintending - Engineers.

For this gracious act I shall ever pray for your long life and continued prosperity.

I beg to remain,

Sir,

Your most obedient servant,

B. Puttaswamaya

Bangalore.

F.K.S. 28]

File No. 208-08
Serial No. 89

iry No. of letter replied to 5589

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Agri)

19

Date of issue 25. 10. 1911

Signed by Mr P. S. Sivaswamy

READ— Petition dated 1st May 1911 from B. Puttaswamaiya, son of the late M. B. Ramaiah, late Sub Registrar Bangalore, praying that orders may be issued for improving ~~ORDERED THEREON—~~ the Pombarahalli Tank in the Malbagal Taluk under which he holds 75 acres 35 guntas lands and for fixing wet assessment only on that extent of which can be irrigated by the tank water

over.

SUBJECT.

GPB—10,000-29-9-10

the rest being converted into dry

(2) Correspondence ending with letter No. 11319 dated the 6th May 1911 from the Revenue Commissioner in Mysore, forwarding a copy of letter No. 8308/4824 dated the 16th April 1911, from the Deputy Commissioner, Kolar District, containing a full report on the subject and stating that it is better to refuse sanction to the improvement of the tank and proceed to realise the arrears.

(3) Note dated 22nd May 1911 from the Chief Engineer recording that under the circumstances set forth brought to light in the Deputy Commissioner's report it does not seem desirable for Government to spend more money for the improvement of the tank.

Order thereon No. R 2075-7
25-10-11

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

The present capacity of the tank is stated to be about 26 units and it can irrigate only about 30 acres, while the lands included in its ayacut are ~~about~~ 75 acres 35 cm in extent. The catchment area of the tank is small and does not permit of much increase in the capacity of the tank. It is estimated that if the bund is raised by about 2 ft., some 15 or 20 acres more may be irrigated but the cost of this improvement will be about 2500 Rs. yielding a small return of about 2.5 per cent per annum while it is doubtful whether even in favourable seasons the tank will yield a sufficient supply of water throughout the year for the whole of the 45 acres ~~that will have to be irrigated thereform~~ dependent thereon. It is therefore evident that Govt cannot incur any further outlay on the tank. The petitioner Puttasamaiya will

MGOPB—30,000—5-4-05.

informed accordingly.

2. It is stated that an artificial 75-acre and 35 gunta, only 45 acres are irrigable and that yet the remainder has been fully assessed to wet rates requires investigation. If the explanation be as stated at para 11 of the Dy Commr's letter No 3058/484 of 16th April 1911 to the Commr that "the tank had been breached at the time of last survey and settlement and nevertheless the land was assessed as wet at that survey" action now to be taken is simple viz either to grant remission of half assessment on the lands classed as wet but which is found to be irrigable or to alter the class from wet to dry. The lands were finally visited by Mr Sawicki in Dec 1910 & the 16th Jan 1905 & Mr. R 6028-9 and the retaining wall of the tank Fasli 77-3 was also directed simultaneously to be built having been assured to contribute Rs 1577-8-0 towards its cost by annual instalments of Rs 200 and as after the restoration of the tank

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

there are still 51 acres of land which are irrigable the petitioner is entitled to all reasonable relief in respect of them: the proper course under the circumstances seems to be to revise the assessment on the land and class the irrigable area as dry without waiting for the resurvey. The Superintendent of Survey is therefore requested to have the land reclassified and reassessed in consultation with the Dy Commr and Dt Engineer pending revising assessment only half the wet rate may be recovered from the petitioner on lands that are not irrigable.

3. It is also remarked by the Dy Commr that "no private individual can be permitted to improve a portion of the tank: When rights are held responsible for the upkeep of minor tanks such as the tank under consideration is with respect to its present capacity the Govt do not see why the Inspectors' sanction should not be given subject as to the outlay so as to improve

MGCPB—30,000—5-1-05.

yb

and restore the balance of efficiency, as it is presumed that he is the sole occupant of the entire holding. If the Dy Comm however reports that the security offered is inadequate and that only a single instalment of £20 has been paid on account of the amount due as contribution but are not prepared to sanction any further loan for this purpose. The Dy Comm is requested to take steps early to realize the balance of instalments due and any arrears of revenue that may be still outstanding after giving him the benefit of the remissions as directed in para 2 above

CM
Offg Secy

To The Rev Comm in Lyyne returning enclosures &
The Ch Engr Irr
The Supdt Fire Survey
The Dy Comm, Kolar

with the previous sanction of Govt

X { 12 recd with letter dtd 11808/9 19.5-11
2 ver. files recd with letter 11319 dtd 26-4-11.

Sg Apr 208-08-10

Government of His Highness the Maharaja of Mysore,

General and Revenue Secretariat,

Dated Bangalore, 25 October 1911.

No. R 2079

E N D O R S E M E N T.

B. Puttaswamaiya, Son of late Mr. B. Gangaiya, Banga

In reply to his petition registered No. 5172 dated 1 1911 addressed to the Dewan praying among other things for improvement of the Pombarahalli tank in the Mulbagal Taluk w view to increase its capacity and to admit of all the lands his holding under the tank being supplied with water for irr tion, B. Puttaswamaiyya is informed that Government cannot i more outlay on the tank and that the question of remitting w assessment on that portion of the land which cannot be irrig has been referred to the Survey Superintendent for necessary

" By Order "

Fair Draft)

For Offg: Secretary to Government.

2 Copies / HD 11. Agi 208-08-10

Draft Endorsement-

To R 2079 dt 25-10-11

B. Puttaswamaiya, son of
late Sri B. Gangaiya, Bangalore

In reply to his petition regd
~~(the Govt are forwarded.~~
No 5172 dt 1-5-11, addressed to the Dewan
praying among other things for the
improvement of the
~~increasing the Capacity of the~~ Pembarahalli
Tank in the Mulbagal Taluk with a view
to increase its capacity and admit of
~~to~~ all the lands in his holding under the
tank being supplied with water for
irrigation, B. Puttaswamaiya is in-
formed that Govt. cannot incur
more outlay on the tank and that the
question of remitting ~~the~~ the assessment on that
portion of the land which cannot be irrigated
~~under consideration~~ has been referred to the
Survey Supdt for necessary action.
~~Govt Informed~~

for Secy.

dt 1/12/11